

**FILED**

APR 26 2010

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS,  
AUSTIN DIVISION**

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY \_\_\_\_\_  
DEPUTY CLERK

**JOHN M. STEVENSON**  
**Plaintiff**

**VS.**

**AUSTIN-TRAVIS COUNTY INTEGRAL CARE CENTER [formerly the Austin-Travis County Mental Health and Mental Retardation Center]; DR. JEFFERY JOSEPHS, Individually and as an Employee of the Austin-Travis County Integral Care Center; The Housing Authority of the City of Austin [HACA]; MS. SYLVIA BLANCO, Individually and as an Employee of HACA**

**A10CA282 SS**  
CIVIL ACTION NO. \_\_\_\_\_

## JURY DEMAND

## **DEFENDANTS' NOTICE OF REMOVAL**

**Defendants allege:**

1. Austin-Travis County Integral Care Center and The Housing Authority of the City of Austin sued directly and through the individual Defendants in their official capacity, as well as each such individual, sued in their individual capacities, are all the Defendants in a civil action commenced on April 1, 2010, in the 419<sup>th</sup> Judicial District Court of Travis County, Texas, Cause No. D-1-GW-10-001032 entitled *John Stevenson vs. Austin-Travis County Integral Care Center, et al.* All Defendants join in this removal.
2. Plaintiff's Original Petition is the initial pleading setting forth the claim upon which the action is based. Defendants Austin-Travis County Integral Care Center and Dr. Jeffery Josephs first received a copy of said Petition on April 13, 2010. Defendants The Housing Authority of

the City of Austin and Sylvia Blanco first received a copy of said petition on April 5, 2010. Defendants have removed this case within thirty days thereafter.

3. The following constitutes all of the process, pleadings, and orders served upon Plaintiffs and Defendants in this action:

- (a) Citation to Austin-Travis County Integral Care Center;
- (b) Citation to Dr. Jeffrey Josephs (will supplement);
- (c) Citation to the Housing Authority of the City of Austin;
- (d) Citation to Sylvia Blanco;
- (e) Plaintiffs' Original Petition;
- (f) Docket Sheet (will supplement)

4. The action is a civil action of which this Court has original jurisdiction under Title 28 U.S.C. §1331, and is one which Defendants are entitled to remove to this Court pursuant to Title 28 U.S.C. §1441, in that the action involves claims under federal statutes, namely 42 U.S.C. § 1983, thereby triggering this Court's "federal question" jurisdiction.

5. Defendants hereby demand a Jury.

#### PRAYER

Considering the foregoing, Defendants pray that the above action now pending in the 419<sup>th</sup> Judicial District Court of Travis County, Texas, Cause No. D-1-GW-10-001032 entitled *John Stevenson vs. Austin-Travis County Integral Care Center, et al* be transferred from that Court to this Court.

Respectfully submitted,

/s/ William S. Helfand

WILLIAM S. HELFAND

SBOT: 09388250

BARBARA E. ROBERTS

SBOT: 06534230

ATTORNEYS FOR DEFENDANTS

AUSTIN-TRAVIS COUNTY INTEGRAL CARE CENTER

AND DR. JEFFERY JOSEPHS

OF COUNSEL:

CHAMBERLAIN, HRDLICKA, WHITE

WILLIAMS & MARTIN

1200 Smith Street, Suite 1400

Houston, Texas 77002

(713) 654-9630

(713) 658-2553 [fax]

-and-

/s/ Martha S. Dickie

MARTHA S. DICKIE, Partner

SBOT: 00000081

ATTORNEYS FOR DEFENDANTS

THE HOUSING AUTHORITY OF THE CITY OF AUSTIN

AND SYLVIA BLANCO

OF COUNSEL:

ALMANZA, BLACKBURN & DICKIE, LLP

2301 S. Capital of Texas Hwy, Bldg. H

Austin, Texas 78746

(512) 474-9486

(512) 478-7151 [fax]

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been forwarded to the following counsel of record in accordance with the District's ECF service rules on this 22<sup>nd</sup> of April, 2010, as follows:

/s/ William S. Helfand